

TMH:th
AO 91 (Rev. 5/85) Criminal Complaint

United States District Court

STATE AND DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA

v.

CRIMINAL COMPLAINT

ALBERTO GUITIERREZ VEGA

10-MJ-00097 (JUG)

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about March 16, 2010, in Hennepin County, in the

State and District of Minnesota, the defendant did, (Track Statutory Language of Offense)

unlawfully, knowingly and intentionally possess with intent to distribute approximately 500 grams of a mixture and substance containing a detectable amount of methamphetamine, a controlled substance,

in violation of Title 21 United States Code, Sections 841(a)(1) and 841(a)(1)(A).

I further state that I am a Task Force Officer, DEA and that this complaint is based on the following facts:
Official Title

See Attached Affidavit

Continued on the attached sheet and made a part hereof:

☒ Yes

☐ No

Signature of Complainant

Brian M. Burds

Task Force Officer, DEA

Sworn to before me and subscribed in my presence,

Date

Jeanne J. Graham, U.S. Magistrate Judge

Name & Title of Judicial Officer

at

Saint Paul, Minnesota

City and State

Signature of Judicial Officer

SCANNED

MAR 17 2010

U.S. DISTRICT COURT ST. PAUL

10-MJ-00097 (JJG)

STATE OF MINNESOTA)
) ss AFFIDAVIT OF BRIAN M. BURDS
COUNTY OF RAMSEY)

I, Brian M. Burds, being duly sworn, depose and state as follows:

1. I am a Deputy Sheriff with the Hennepin County (Minnesota) Sheriff's Office and have been so employed since February 2000. I am currently serving as a Task Force Officer in the Drug Enforcement Administration (DEA), Minneapolis-St. Paul District Office and have been in this assignment for approximately two years. I have received extensive training in drug trafficking investigations. I have participated in several state and federal investigations which have resulted in the arrests of numerous individuals charged with the possession and distribution of controlled substances.


2. This affidavit is submitted in support of a criminal complaint charging ALBERTO GUITIERREZ VEGA ("VEGA") with possession with intent to distribute approximately 500 grams of a mixture and substance containing a detectable amount of methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A).

3. The facts and information contained in this affidavit are based upon my own investigation and observations, and those of other agents and police officers. This affidavit contains information necessary to support probable cause for this application. It is not intended to include each and every fact and matter observed by me or known to the government.

4. On March 16, 2010, a confidential source (CS) made a telephone call to VEGA to arrange the purchase of approximately one pound of methamphetamine. Later that day, agents saw VEGA leave his residence in Brooklyn Center and get into the front passenger seat of a vehicle. The police then conducted a traffic stop of the vehicle. VEGA was asked to step out of the vehicle. As he did so, a plastic bag fell out from under his shirt. The bag contained approximately one pound of a substance which field-tested positive for methamphetamine. A later search warrant of VEGA's residence resulted in the seizure of approximately one ounce of methamphetamine which also field-tested positive for methamphetamine. In a post-arrest statement, VEGA admitted that he possessed the methamphetamine at his residence, and that he intended to distribute the methamphetamine that fell out from under his shirt.


5. Based on the foregoing, there is probable cause to believe that on or about March 16, 2010, within the State and District of Minnesota, the defendant, ALBERTO GUITIERREZ VEGA, did unlawfully, knowingly and intentionally possess with intent to distribute

approximately 500 grams of a mixture and substance containing a detectable amount of methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A).



Brian M. Burde
Task Force Officer, DEA

Sworn and subscribed to before me
this 17th day of March, 2010.



Jeanne J. Graham
United States Magistrate Judge